

MINUTES OF THE 411th MEETING OF THE OHIO TURNPIKE COMMISSION

August 14, 1995

Pursuant to the bylaws, the Ohio Turnpike met in regular session in the Administration Building at 682 Prospect Street, Berea, Ohio at 10:30 a.m., on August 14, 1995, with Members of the staff: Allan V. Johnson, Executive Director; Gino Zomparelli, General Counsel; G. Alan Plain, Deputy Executive Director; Robert P. Barnett, Director of Information and Research; Craig Rudolphy, Comptroller; Donald M. Sharp, Director of Operations; David H. Ransbury, Chief Engineer; Alice Linn, Director of Patron Services; James H. Brennan, Development Coordinator; and others in attendance.

Present: Richard A. Hodges, M. Ben Gaeth, Jerry Wray,
Earl W. Williams, Ruth Ann Leever, Marilyn R. Baker,
Umberto P. Fedeli

Absent: None

A motion was made by Mrs. Leever, seconded by Mr. Williams, that the minutes of the meeting of July 17, 1995, which had been examined by the Members, be approved without reading.

A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Mrs. Leever, Mr. Williams, Mr. Wray, Mrs. Baker, Mr. Fedeli

Nays: None

The Chairman declared the minutes stood approved with all Members voting in the affirmative.

The Chairman said there were a number of guests at the meeting and he would ask them to identify themselves as follows: Diane Pring, Legal Department; Leah Fox, ODOT; Barbara Lesko, Executive Director's Secretary; Sharon Isaac, Assistant General Counsel; Andy Benson, The (Cleveland) Plain Dealer; Cleve Brooks, SBK Brooks; Rick Claar, The (Fremont) News Messenger; Keith Huizenga, Elmore Village Council; Fred McFall, Host Marriott; Mark Tylicki, taxpayer; Lt. Harv Callahan, OSHP; Carol Muller, Paine Webber; Gary Cawley, Superintendent of Toll Collections; Alice Linn, Director of Patron Services; Ben Ehle, Hardee's Food System; Pat Patton, Government Liaison Officer; Joe Rice, Rice Consultants; Don DePaulo, Traffic and Field Engineer; Gary Joseph, ODOT; Pieter Wykoff, ODOT; Paul Sciria, Sciria and Associates; Wendy Franklin, Lehman Brothers; Frank Lamb, Huntington Trust; Joe Disantis, Right of Way

Coordinator; Anthony Palumbo, Staff Counsel; Rob Fleischman, Greiner Engineering; Dan Becker, OCDC; Kerry Ferrier, Engineering Department; Bob Arlow, Construction Coordinator; Ed Presley, Society Bank; John Lavelle, Key Corporation; Joseph Robertson, Seasongood and Mayer; and Gordon Reis, Seasongood and Mayer.

The Chairman said that various reports would be received and the Commission would act on a number of resolutions, draft copies of which had been previously sent to the Members and updated drafts also were in the Members' folders. He said the resolutions would be explained during the appropriate reports.

The Chairman said that if there were no further questions, the report of the Secretary-Treasurer, Mrs. Baker, would be received.

Mrs. Baker said that the following listed items had been sent to the Members since the last regularly scheduled meeting of the Commission, July 17, 1995:

1. Weekly Traffic Statistics
2. Investment Transactions which occurred during July 1995
3. Draft of the Commission Meeting Minutes of July 17, 1995
4. OCDC Report August 1995
5. Final Feasibility Report GL/MAC Project
6. Financial Statement July 1995
7. Investment Transactions July 1995
8. Budget and Expense Report First Six Months 1995
9. News Release #12 - Recommendations of GL/MAC Feasibility Report

Mrs. Baker said that, as Secretary-Treasurer, she realized that the Commission's bylaws provided for the Secretary-Treasurer to appoint an Assistant Secretary-Treasurer and to obtain the assent of the Commission for that appointment. She said that, therefore, she would like to appoint Allan Johnson as Assistant Secretary-Treasurer and ask the Members to assent to that appointment.

The Chairman asked for the assent of the Members to the appointment in the form of a roll call as follows:

Ayes: Mrs. Baker, Mr. Fedeli, Mr. Wray, Mr. Williams, Mrs. Leever

Nays: None

The Chairman said the report of the Secretary-Treasurer was accepted as offered. He ascertained there would be no report on Budget and Finance. He said the report on Audit/Legal would be received.

Mr. Rudolphy said the Commission's independent auditors, Coopers and Lybrand, had completed their field work and he expected their report (for the first six months) would be ready by the next Commission meeting.

The Chairman said the report on Audit/Legal was accepted as offered. He said the report on service plazas would be received.

Senator Gaeth said he had stopped at one of the service plazas that morning and it was very busy. He said it was in need of an update and he was glad that bids were received to rebuild or renovate the service plaza buildings. He said that if people thought that service plazas were not a plus for use on the Turnpike they were wrong.

The Chairman said that while the Commission was evaluating bids for new or renovating facilities it was important that the existing structures be kept as clean as possible.

Mr. Johnson said that the bids for operation of the sixteen service plaza restaurants were opened on June 28th and tabulations on those bids had previously been furnished to the Members.

Mr. Johnson said further that a Commission group was assigned to review and evaluate those bids. He said the group consisted of Ruth Ann Leever and Earl Williams, as Members representing the Commission itself. He said that Senator Gaeth was unable to participate in some of the activities, but he was on the group as needed.

Mr. Johnson said further that he was a member of the group as was Alan Plain, the Deputy Executive Director, Gino Zomparelli, General Counsel, Sharon Isaac, Assistant General Counsel, Alice Linn, Director of Patron Services, Jim Brennan, Development Coordinator, Bob Arlow, Construction Coordinator, Dan Castrigano, Maintenance Engineer and a representative from the Commission's special counsel, Climaco, Climaco.

Mr. Johnson said further that a number of informal meetings had been held among the group members. He said formal interviews had been held on Tuesday, August 8th with the four companies which had submitted bids. He said the review group met afterwards to attempt to reach some consensus and possibly develop a recommendation for the Commission to consider.

Mr. Johnson said further that, unfortunately, it was the group's decision that there was only one pair of plazas that should still be kept under consideration. He said the group was not prepared to make a recommendation for a contract award at the meeting. He said the group would continue to evaluate one proposal for contract TR-7E, which involved the Middle Ridge and Vermilion Valley Service Plazas.

Mr. Johnson said further that it also was the review group's recommendation that the Commission reject the bids on all other seven pairs of service plazas at that time so that the process of re-advertising for bids might begin. He said the group was not satisfied with the bids that had been received.

The Chairman said that he had been very vocal even though he had not sat in on the meetings. He said that when a group of Commission Members and staff had gone on a field trip they saw many restaurant concepts they liked at service plazas on other toll roads. He said that he thought that the Commission had made it clear what it wanted in the bids for its restaurant contracts. He said that was not what the Commission received in the bids from potential operators. He said that, quite frankly, some of the designs of the buildings were not appealing. He said they were something the Commission would have to live with for twenty or thirty years.

The Chairman said further that, like Senator Gaeth had said, he thought that the service plazas were important to the Turnpike. He said the new facilities should be spacious and airy with large restrooms. He said they should have modular walls so that concepts could be changed if need be.

The Chairman said further that, although there were parts of some proposals that were liked, he didn't think they were the best job that he had seen.

Mr. Wray asked if the bids were for construction and operation?

Mr. Johnson said that the bids provided for either total replacement of the restaurant facilities or renovation. He said the bidders were able to bid either way or both ways as an alternative proposal.

Mr. Wray asked if the problem with the bids was the operating costs?

The Chairman said that, in one case, the proposed buildings were plain ugly. He said that, in another case, the review group thought it was not getting the best deal costwise.

The Chairman said further that the proposal the Commission was not rejecting called for construction of brand new buildings and paying a percentage of sales that was significantly higher than what was presently being received.

The Chairman said he thought the Commission should hire a consultant in restaurant or food services management who could review the various proposals to see what was best for the consumer on the Turnpike.

Mr. Wray asked if there was a lack of understanding by the bidders of the scope sought in the restaurant proposals?

Mr. Johnson said he didn't think so. He said a great deal of time was spent in preparing the bid documents. He said a lot of time also was spent last year in meeting with most of the interested parties. He said they were invited in to solicit their comments and their ideas. He said all of that went into the bidding documents.

Mr. Johnson said further that the existing buildings were forty years old and, basically, they all had the same layouts. He said they consisted of about 14,000 square feet of public areas. He said that increased traffic warranted an increase in the size of a number of the new buildings. He said that some might be smaller. He said the bidding documents stipulated that there could be an A or B building. He said that an A building was in the neighborhood of at least 17,000 square feet. He said the B building were more like 10,000 or 11,000 square feet.

Mr. Johnson said further that the bid on Plaza 5, which the review group thought met the desired layouts, were for buildings that were 26,000 square feet. He said that they were substantially larger than specified.

The Chairman said that the bidder would pay for the construction of new buildings and also give the Commission 18 percent of revenues.

Senator Gaeth asked how long the new contracts would run?

Mr. Johnson said they were for 15 years with a five-year option.

The Chairman said the time frame of the contracts allowed the vendors to recoup their investments in new buildings.

Mr. Johnson said that even renovation was tremendously expensive. He said it could cost as much as total replacement and the facility would be messed up while the work was being done.

The Chairman said that while on the field trip he had mentioned earlier in the meeting the group saw a facility in New Jersey run by Host Marriott that was very nice. He said it had modular walls that could be moved to accommodate new food concepts when they became popular. He said that way the restaurants were not locked into a particular concept when consumer preferences changed.

Mr. Williams asked if Mr. Johnson could elaborate on what he had said about Plaza 5?

Mr. Johnson said that what he proposed was that the Commission table the bids received on Plaza 5 and that the bids on all seven other pairs of plazas be rejected.

Mr. Johnson said that there also was a fourth bidder called Creative Food Management which proposed managing all 16 service plaza restaurants. He said that, in that case, the Commission would be the operator. He said he would suggest that their proposal also be rejected since the Commission had requested bids on building and operating.

Mr. Wray asked if Mr. Johnson wanted the Commission to hold onto the bids for Plaza 5 and award a contract later?

Mr. Johnson said that was what he suggested and, at the same time, reject the Creative Food Management proposal and all the other bids.

The Chairman said that when the Commission designed a road or interchange it had an engineering consultant to represent its interest. He said the Commission didn't just ask a contractor to bid and just tell it what they thought it should do.

The Chairman said further that when it came to food service he thought the Commission also should have a consultant who was an intermediary to make sure the right concepts were selected. He said that individual would need to have an overall knowledge of the food management field. He said he didn't want to end up with concepts that were not appealing to consumers just because they were bid by vendors.

The Chairman said further that the facility in New Jersey, which cost a bit over \$4 million, was doing phenomenal sales. He said another service plaza restaurant the tour group visited in New York, built for \$15 million, was doing less sales than the one in New Jersey. He said the officials in New York said that they had too many food concepts and they were competing against one another. He said that the facility in New Jersey could have added one or two additional concepts. He said in New Jersey they doubled their food sales because people that had not stopped there before were now stopping there to eat.

Mr. Wray asked if the consultant would help the Commission to rewrite its restaurant proposal?

Mr. Johnson said the consultant and staff would focus on some areas so that bidders were absolutely clear regarding what the Commission was expecting.

Mr. Williams asked if the consultant would review Plaza 5?

Mr. Zomparelli said he thought the consultant could offer a little more expertise to the Chairman and the Commission in aiding them in making their decision.

The Chairman said that, for example, at Plaza 5 there was a proposal for a Perkin's Family Restaurant, a Wendy's Old Fashioned Hamburgers and a Little Caesar's Pizza. He said a food expert might say that, based on the traffic at that location, there should be two other food concepts. He said that perhaps a cookie store and ice cream shop would be located there. He said perhaps there could be a Chinese food outlet and another concept added. He said he wanted to make sure the Commission was happy with the bid.

The Chairman said the restaurant buildings would house mini food courts. He said he didn't want a situation where there might be three concepts at a location when there should be five choices.

The Chairman asked Mr. Arlow how many concepts were at the New Jersey Turnpike site they visited?

Mr. Arlow said there were five concepts including an Italian food buffet.

The Chairman said the hottest food concept in the country at that time was Italian food.

The Chairman said further that in New Jersey the restaurant franchise with the Italian food was called Sbarro's. He said Host Marriott represented Sbarro's and yet Marriott didn't propose that food concept in its bid for the Ohio Turnpike contract. He said he didn't know why that was not done.

Senator Gaeth asked if the food concepts they visited in New Jersey were attractive enough that people would just come to the Turnpike to visit them?

Mr. Brennan said they were and they also had gasoline prices twenty cents cheaper a gallon than in Manhattan.

Mr. Johnson said they also had a stretch of road that they could get on and off of without paying tolls to do that.

The Chairman said selling food was retailing. He said that when one went into shopping malls there was a lot of money spent by the operator on the concepts to attract customers. He said he just wanted to make sure that the Commission did the best job off the Turnpike as it did on the Turnpike. He said the Commission was into quality and it should have quality in every aspect of everything it did.

The Chairman said further that he predicted the Commission would increase its food profits in the Turnpike a minimum of fifty percent from what was currently being done. He said that within three years after the new restaurants were opened the increase would be 100 percent over current figures.

The Chairman said further that certain administration costs had been cut by \$2 million. He said some of the labor costs were being cut by offering eligible employees the retirement incentive packages. He said probably a couple million dollars would be saved. He said the Commission was making an additional \$1.6 million per year in profits from the service stations. He said that if the Commission made an extra couple million dollars a year on its restaurants then it all would add up to a substantial profit.

The Chairman said further that he had not seen any restaurant contract proposals that he was completely happy with.

Mr. Wray asked if the resolution was to reject all the bids except one which would be tabled?

Mr. Johnson said the draft resolution would be modified to reject all the bids except Plaza 5, which would be set aside for further review, and further reject the entire bid submitted by Creative Food Management, Inc. He said the resolution would then further resolve that the Commission authorized the retention of a food management consultant.

Mrs. Leever asked if there was a timetable about when the Commission might expect to go back out for bids again?

Mr. Johnson said that would be done within a few weeks.

Mr. Wray asked if the consultant would be hired to help prepare the new proposal?

Mr. Johnson said he hoped that would be done.

Mr. Wray asked who would be hiring the consultant?

Mr. Johnson said that if the Commission authorized retaining the consultant he thought that, under the bylaws, he would have the authority to retain that consultant. He said he would certainly not do that without telling the Commission.

The Chairman said he didn't think the Commission needed to do a resolution. He said he would like to see a consultant hired within one week and have the proposals redone as soon as possible.

The Chairman said further that he was concerned that there were four current restaurant locations on which nobody bid to operate. He said that maybe there was not sufficient traffic at those locations to support one or more restaurant concepts. He said that there might be enough business there that consumers demanded one.

The Chairman said further that the Commission had to figure out what to do at those locations.

Mr. Johnson said he didn't expect them to support more than one concept. He said that was probably why the Commission didn't get bids on them.

Mr. Wray asked if a consultant was going to answer that question for the Commission?

Mr. Johnson said the consultant would be of help to the Commission.

The Chairman said that perhaps Creative Food Management, Inc. had some potential as a consultant. He said they might be approached to serve as a consultant to the Commission. He said there also was a gentleman he knew who was an ex-CEO of Burger King. He said the man also was CEO of food companies and served on a number of food company boards. He said he appeared to be interested in serving as a consultant and was supposed to be calling him that day.

The Chairman said further that the consultant could be a mall developer who had done food courts. He said such an individual could tell the Commission which concepts worked well together to increase sales.

Mr. Wray asked if the Commission was to pass a resolution authorizing the Executive Director to hire a consultant, decide a fee and then let the Commission know what was done?

Mr. Johnson said he thought that was his understanding.

The Chairman said that was fine with him.

Mr. Wray said he didn't think that was fine with him. He said he would want to know who the individual was, their background and how much they were to be paid.

Mr. Johnson said he certainly was not going to keep that information from the Commission Members.

The Chairman said he had no problem if Mr. Wray wanted to have approval of the Commission for the hiring of a consultant.

Mr. Wray said that perhaps the assent of the Members could be obtained over the telephone.

Mr. Zomparelli said that since there were two Commission Members on the Committee on Service Plazas the selection of a consultant could be handled by the Committee.

The Chairman said that approval by the Committee would be fine with him.

Mr. Wray said that would be fine with him.

Mrs. Baker said that selection process would be all right with her.

The Chairman said he didn't care who the expert was as long as the individual selected had the expertise to get the job done. He said he wanted someone who could

say that they had done this fifty times. He said it would be someone who could say here is what works and doesn't work. He said that person also could explain why some concepts were better than others.

Mr. Johnson said that he would recommend that the resolution be put in a better form after the meeting. He said that at the present time, the Members had a draft resolution before them for rejecting bids and some of the Whereases will remain the same. He said they would be elaborated on because there were more bids to reject.

Mr. Johnson said further that the resolution Resolved would be that the Commission reject all bids received except Plaza 5.

The Chairman said that when several Commission Members and staff members visited the airport in Pittsburgh they encountered the London-based firm of BAA. He said they ran Heathrow Airport in London. He said they had done a phenomenal job at the Pittsburgh Airport. He said their retail sales per square foot were four to five times what occurred at a typical airport.

The Chairman said further that BAA didn't operate any food businesses. He said they acted as a management company that got the best of each category. He said it took a great amount of expertise to do that. He said the Commission didn't have that expertise. He said the Commission would prefer having someone running the food concept so that it didn't have to manage it. He said that perhaps BAA might be interested in being a consultant for the Commission.

Mr. Johnson said that he would talk to them again and see if they were interested. He said that, at an earlier time, they were not.

The Chairman said that when walking into the Pittsburgh Airport it was nice to see how well it was designed. He said BAA didn't allow pricing to be any more than at any other retail locations. He said people were there two or three hours to do their Christmas shopping and other shopping. He said that, consequently, their sales per square foot were phenomenal.

The Chairman said further that the stores were generating a significant amount of profits for the Pittsburgh Airport. He said the image presented to the people that went through the airport was very, very good.

Mr. Johnson said the resolution was to Resolve that all bids received in response to Contracts TR-7A, B, C, D, F, G, and H be rejected.

Mr. Zomparelli asked if E was included?

Mr. Johnson said E for Plaza 5 was not included. He said the resolution was to Further Resolve that all bids submitted by Creative Food Management, Inc. at all eight

plazas, 7A through H, be rejected. He said it was Further Resolved that, subject to review with the Commission Members and approval of the Commission's Review Group, the Commission authorizes the retaining of a consultant to assist in this process from that point forward.

Mr. Johnson said he recommended that the resolution in that form be adopted.

Mr. Wray asked if TR-7E was being set aside for the time being?

Mr. Johnson said that it would be further evaluated, along with the whole process.

A resolution rejecting certain bids for Contract TR-7 and providing for the re-advertisement of certain service plaza restaurants was moved for adoption by Mrs. Baker, seconded by Mrs. Leever as follows:

RESOLUTION NO. 27-1995

"WHEREAS, on March 31, 1995, the Commission issued an invitation to bid for contracts for the operation of the Commission's sixteen restaurants along the route of Ohio Turnpike Project No. 1, bearing the general designation of Restaurant Contract TR-7, and to cause advertisement for said contract to be published;

"WHEREAS, the proposals were reviewed and evaluated by a group consisting of two Commission members, several of the Commission's staff members and a representative of outside special counsel;

"WHEREAS, under the terms and conditions of the bidding documents for Contract TR-7, the Commission has reserved the right to reject any and all proposals; and

"WHEREAS, the Commission's review group recommends that the bids submitted for contracts for operation of the following service plaza restaurants be rejected, and that the Commission re-advertise for bids for contracts for the operation of the restaurants:

Proposal TR-7A:	Service Plaza 1	(Indian Meadow and Tiffin River)
Proposal TR-7B:	Service Plaza 2	(Oak Openings and Fallen Timbers)
Proposal TR-7C:	Service Plaza 3	(Blue Heron and Wyandot)
Proposal TR-7D:	Service Plaza 4	(Erie Islands and Commodore Perry)
Proposal TR-7F:	Service Plaza 6	(Great Lakes and Towpath)
Proposal TR-7G:	Service Plaza 7	(Portage and Brady's Leap)
Proposal TR-7H	Service Plaza 8	(Mahoning Valley and Glacier Hills)

"WHEREAS, the review group recommends that all bids submitted by Creative Food Management, Inc. for all eight service plazas, TR-7A through TR-7H be rejected; and

"WHEREAS, the Commission desires, subject to prior notification to the Commission members and approval of the Commission's review group, to authorize the executive director to retain, as soon as possible, a consultant to assist the Commission and its staff from this point forward in the process of obtaining bids and awarding contracts for the renovation or replacement, construction and operation of the service plaza restaurants;

"NOW, THEREFORE, BE IT

"RESOLVED the Commission concurs in the review group's recommendations and the bids submitted for the following service plazas hereby are rejected, and authorizes and directs that the bids for contracts for operation of the following restaurants be re-advertised:

Proposal TR-7A:	Service Plaza 1	(Indian Meadow and Tiffin River)
Proposal TR-7B:	Service Plaza 2	(Oak Openings and Fallen Timbers)
Proposal TR-7C:	Service Plaza 3	(Blue Heron and Wyandot)
Proposal TR-7D:	Service Plaza 4	(Erie Islands and Commodore Perry)
Proposal TR-7F:	Service Plaza 6	(Great Lakes and Towpath)
Proposal TR-7G:	Service Plaza 7	(Portage and Brady's Leap)
Proposal TR-7H	Service Plaza 8	(Mahoning Valley and Glacier Hills)

"FURTHER RESOLVED that all bids submitted by Creative Food Management, Inc. for all eight service plazas, TR-7A through TR-7H hereby are rejected; and

"FURTHER RESOLVED that, subject to prior notification to the Commission members and approval of the Commission's review group, the Commission authorizes and directs the executive director to retain, as soon as possible, a consultant to assist the Commission and its staff from this point forward in the process of obtaining bids and awarding contracts for the renovation or replacement, construction and operation of the service plaza restaurants;

"FURTHER RESOLVED that the executive director and general counsel hereby are authorized and directed to take any and all action necessary to re-advertise for bids for contracts for the operation of the above-mentioned restaurants on the Ohio Turnpike, forthwith."

A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Mrs. Baker, Mrs. Leever, Mr. Wray, Mr. Williams, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 27-1995.

Mr. Johnson said his remaining report would consist of explaining and introducing some of the resolutions.

Mr. Johnson said further that the first resolution was entitled a resolution awarding contract No. 58-95-04. He said it was a project to renovate, expand and rebuild the existing interchange at Gate 15, which was in Mahoning County. He said there were three bids received on the contract. He said the Members had the summary of the bid tabulations in their folders. He said the low bid was submitted by the Ruhlin Company of Sharon Center, Ohio in the amount of \$7,378,138.69.

Mr. Johnson said further that the contract and bid had been reviewed by the staff, by the Commission's outside consultants, who prepared the plans, and approved by General Counsel. He said the company had done work for the Commission before and they were a substantial company. He said the bid was well under the estimate. He said he would dispense with reading the Resolveds, but he would recommend that the resolution be adopted.

A resolution awarding contract No. 58-95-04 was moved for adoption by Mr. Wray, seconded by Mrs. Leever as follows:

RESOLUTION NO. 28-1995

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for toll plaza renovation, interchange ramp resurfacing and demolition of the existing utility building, toll islands and toll canopy of Ohio Turnpike at I-76/I-80, Interchange 15 located at Milepost 219.4 in Mahoning County, which project has been designated Project No. 58-95-04;

"WHEREAS, three bids for the performance of said contract were received;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and he has submitted a report concerning such analysis and his report is before the Commission, and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis;

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by the bidders and has determined that there is satisfactory evidence of compliance with the Commission's Minority Business Enterprise Program;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of The Ruhlin Company of Sharon Center, Ohio, in the amount of \$7,378,138.69 for the performance of Contract No. 58-95-04 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by The Ruhlin Company;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of The Ruhlin Company of Sharon Center, Ohio, in the amount of \$7,378,138.69 for the performance of Contract No. 58-95-04 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairman and executive director, or either of them, hereby is authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract, and

"FURTHER RESOLVED that Project No. 58-95-04 is designated a System Project under the Commission's 1994 Master Trust Agreement."

A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Mr. Wray, Mrs. Leever, Mr. Williams, Mrs. Baker, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 28-1995.

Mr. Johnson said the next resolution was a resolution awarding Contract No. 38-95-03 to furnish and install digital microwave equipment at a number of Turnpike interchanges and maintenance buildings. He said the contract was necessary to

update the existing equipment. He said the new equipment was for the Turnpike communications system. He said data was transmitted over the system to the Commission's administration building from the toll plazas.

Mr. Johnson said further that only one bid was received on the contract. He said that was not unusual for equipment of that type. He said that it had happened before. He said he was satisfied that the company that submitted the bid, the Harris Corporation, Farinon Division of Schaumburg, Illinois in the amount of \$818,810.00, was reasonable and satisfactory. He said he recommended that the resolution be adopted.

The Chairman asked if the Commission had used the company before.

Mr. Plain said they had and it was a good company. He said the bid opening date had been extended in the hope of having additional bidders, but they had not received them.

The Chairman asked if there was a sense of urgency with the contract.

Mr. Plain said there was because it involved some of the new interchanges that would be opening.

Mr. Johnson said that if the contract was not awarded there was no guarantee that there would be other bids the second time around.

Mrs. Baker asked if bids from several companies had been reviewed when the Commission bought microwave equipment in the past?

Mr. Plain said that at times that had happened. He said that at other times there had been one bidder. He said the information on the contract had been sent out to a number of companies, but the Commission could not force them to bid.

The Chairman asked Mr. Plain if he knew the reasons the companies did not bid?

Mr. Plain said he did not know. He said the price of the equipment in the submitted bid was lower than the Commission paid for similar type equipment a year ago.

Mr. Wray asked if the entire system was being systematically converted?

Mr. Plain said the existing system was an analog or basic backbone system that was outdated. He said the new system was the current state-of-the-art. He said the staff was trying to do it in stages as new interchanges were added. He said that to link the new interchanges the adjoining toll plazas or maintenance buildings were also tied

into the system. He said it was an ongoing process and the staff was attempting to complete it.

Mr. Zomparelli said Syntonic, the Commission's communications consultant, recommended the contract be awarded.

Mr. Johnson said Syntonic helped prepare the specifications for the staff. He said they also analyzed the bid and made the recommendation, along with the staff.

A resolution awarding contract No. 38-95-03 was moved for adoption by Mr. Williams, seconded by Mrs. Leever as follows:

RESOLUTION NO. 29-1995

"WHEREAS, the Commission has duly advertised according to law for bids for the furnishing and installation of digital microwave equipment at the following locations:

<u>Location</u>	<u>Interchange</u>	<u>Milepost</u>	<u>County</u>
Kunkle Maintenance Bldg.		16.0	Williams
Ohio Turnpike/CR 24	2A	25.3	Fulton
Ohio Turnpike/S.R. 109	3B	40.0	Fulton
Swanton Maintenance Bldg.		48.3	Fulton
Ohio Turnpike/Baumhart Rd.	7A	136.2	Lorain
Amherst Maintenance Bldg.		141.0	Lorain
Hiram Maintenance Bldg.		198.6	Portage
Ohio Turnpike/S.R. 5	14	209.2	Trumbull
Ohio Turn./Lordstown, West	14A	215.0	Trumbull
Ohio Turnpike/I-80 & I-76W	15	219.4	Mahoning

"WHEREAS, one bid for the performance of said contract was received;

"WHEREAS, said bid has been reviewed and analyzed by the Commission's chief engineer, the Commission's telecommunications manager, and Syntonic Technology, Inc., the Commission's communications consultant, and they have submitted reports concerning such analyses and their reports are before the Commission, and the Commission's executive director has made his recommendation to the Commission predicated upon such analyses;

"WHEREAS, the Commission's minority business enterprise coordinator has advised that the only bidder, Harris Corporation, Farinon Division, has made application for an MBE waiver and said application will be considered by the Commission's MBE Review Board;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of Harris Corporation, Farinon Division of Schaumburg, Illinois, in the amount of \$818,810.00, which bid also included a lump sum bid under Option A in the amount of \$64,256.00 and a lump sum bid under Option B in the amount of \$70,673.00, should the Commission wish to exercise its option to procure additional equipment to convert existing microwave paths to digital microwave equipment over the next two to three years, for the performance of Contract No. 38-95-03 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by the Harris Corporation, Farinon Division;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of the Harris Corporation, Farinon Division, of Schaumburg, Illinois, in the total bid amount of \$818,810.00 which bid also includes the aforesaid bid of \$64,256.00 under Option A and the aforesaid bid of \$70,673.00 under Option B, for the performance of Contract No. 38-95-03 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairman and executive director, or either of them, hereby is authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, and (2) to take any and all action necessary or proper to carry out the terms of said bid and of said contract, and

"FURTHER RESOLVED that Project No. 38-95-03 is designated a System Project under the Commission's 1994 Master Trust Agreement."

A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Mr. Williams, Mrs. Leever, Mr. Wray, Mrs. Baker, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 29-1995.

The Chairman said he was just uncomfortable awarding contracts where there was only one bidder.

Mr. Johnson said he also was uncomfortable with that situation.

Mr. Johnson said also that the next matter was a resolution concerning award of contract pursuant to invitation No. 3428. He said it was a contract for furnishing the Commission's requirements over the next season for salt used on snow and ice control on the Turnpike.

Mr. Johnson said the contract was for approximately 43,700 tons of salt. He said it was an item award. He said the 1, 2, 3, 4, 5, 6, 7, and 8 listed in the resolution indicated the eight maintenance buildings. He said there also was a 9th location, which was a salt storage area at Humm Road. He said Humm Road was about mid-point on the Turnpike.

Mr. Johnson said that there were three bidders on the contract. He said low bids were received for items 1, 2, 3 and 4 by the North American Salt Company of Overland Park, Kansas in the amount of \$675,495.00. He said Morton International, Inc. Division out of Chicago was the low bidder for items 5 through 9 with a bid in the total amount of \$1,014,150.00.

Mr. Johnson said he recommended that the resolution be adopted so the Commission would have its salt supply for the winter.

The Chairman asked Mr. Wray if he thought the bids were good prices for the salt?

Mr. Wray said it was hard to tell with the information provided.

Mr. Plain said the salt price was basic. He said it was the trucking costs involved to get it to the various locations that made the difference in the bids.

A resolution awarding contract No. 3428 was moved for adoption by Mr. Wray, seconded by Mr. Williams as follows:

RESOLUTION NO. 30-1995

"WHEREAS, the Commission has advertised for bids for Invitation No. 3428 for furnishing to the Commission its requirements for sodium chloride estimated at approximately 43,700 tons, and three bids were received in response to that invitation, such bids having been reviewed by the Commission's staff;

"WHEREAS, it is anticipated that the expenditures of the Commission for sodium chloride under Invitation No. 3355 shall exceed \$500,000 and in accordance

with Article V, Section 2.10 (16) of the Commission's Code of Bylaws, Commission action is necessary for the award of such contract;

"WHEREAS, the bids were reviewed by the chief engineer who has stated that the lowest responsive and responsible bid for Items 1, 2, 3 and 4 was submitted by North American Salt Company of Overland Park, Kansas, in the total amount of approximately \$675,495.00, and for Items 5, 6, 7, 8 and 9 by Morton International, Inc., Morton Salt Division, of Chicago, Illinois, in the total amount of approximately \$1,014,150.00 and that both bidders propose to furnish materials and services in accordance with the Commission's specifications;

"WHEREAS, the Commission's general counsel has reviewed the bids received and has advised the Commission that the procedure followed by the Commission in advertising for Invitation No 3428 is in accordance with Section 5537.07 of the Revised Code of Ohio, and that the bids of North American Salt Company and Morton International, Inc., Morton Salt Division, are the lowest responsive and responsible bids received and that the Commission may legally enter into contracts with North American Salt Company and Morton International, Inc., Morton Salt Division, to furnish sodium chloride in accordance with Invitation No. 3428;

"WHEREAS, the executive director has reviewed the bids received and has recommended to the Commission that contracts be awarded to the lowest responsive and responsible bidders, North American Salt Company and Morton International, Inc., Morton Salt Division;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of North American Salt Company of Overland Park, Kansas, for Items 1, 2, 3 and 4 in the total estimated amount of \$675,495.00 and Morton International, Inc., Morton Salt Division, of Chicago, Illinois for Items 5, 6, 7, 8 and 9 in the total estimated amount of \$1,014,150.00 for Invitation No. 3428 are, and are by the Commission deemed to be the lowest responsive and responsible bids received and are accepted and the chairman and executive director, or either of them, is hereby authorized (1) to execute a contract with each successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid invitation; (2) to direct the return to the other bidder of its bid security, when appropriate; and (3) to take any and all action necessary to properly carry out the terms of said contract."

A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Mr. Wray, Mr. Williams, Mrs. Leever, Mrs. Baker, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 30-1995.

Mr. Johnson said also that the next resolution was for award of contract No. 55-95-01 for building the Interchange 5A ramps between the Turnpike and State Route 51 in Ottawa and Sandusky Counties. He said a tabulation of the seven bidders on the contract had been furnished to the Members. He said the bids submitted were excellent and the low bid was well under the estimate. He said the low bid was submitted by the S. E. Johnson Company of Maumee, Ohio in the amount of \$9,427,757.67. He said the contractor had done a great deal of work on the Turnpike in the past and it was an excellent contractor. He said he recommended that the resolution be adopted.

A resolution awarding contract No. 55-95-01 was moved for adoption by Mrs. Leever, seconded by Mr. Williams as follows:

RESOLUTION NO. 31-1995

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for construction of Interchange 5A ramps between the Ohio Turnpike and State Route 51, located at Milepost 81.5 in Ottawa and Sandusky Counties, Ohio, and additional bridge replacement work, which contract has been designated Contract No. 55-95-01, and is commonly referred to as the S. R. 51 interchange;

"WHEREAS, seven bids for the performance of said contract were received;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and our contracting engineers, and they have submitted reports concerning such analyses and their reports are before the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analyses;

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by the bidders and has determined that there is satisfactory evidence of compliance with the Commission's Minority Business Enterprise Program;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of the S. E. Johnson Companies, Inc. of Maumee, Ohio, in the amount of \$9,427,757.67 for the

performance of Contract No. 55-95-01 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by the S. E. Johnson Companies, Inc.;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of the S. E. Johnson Companies, Inc. of Maumee, Ohio, in the amount of \$9,427,757.67 for the performance of Contract No. 55-95-01, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairman and executive director, or either of them, hereby is authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 55-95-01 is designated a System Project under the Commission's 1994 Master Trust Agreement."

A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Mrs. Leever, Mr. Williams, Mr. Wray, Mrs. Baker, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 31-1995.

Mr. Johnson said that the State Route 51 interchange was scheduled for completion in October of 1996.

Mr. Johnson said that there was one other draft resolution involving a resurfacing project, but it was a small project. He said he could award the contract below \$500,000, a fact he had not realized when the resolution was prepared.

Mr. Plain said the resurfacing was a repair project and it was not a continuous area.

The Chairman said the report of the Executive Director was accepted as offered. He ascertained there would be no report from the Director of Transportation. He said the report of the Development Coordinator would be received.

Mr. Brennan said that starting on the west and working east he would begin with the State Route 66/County Road 24 interchange in Fulton County, Archbold. He said the U.S. Army Corps of Engineers had requested that the Commission again submit all of its data regarding a wetlands mitigation plan for their further review. He said the Commission complied. He said that possibly that would delay the issuance of a permit. He said that, hopefully, the project could be built in 1996. He said Senator Dewine's staff had been in touch with the Corps of Engineers regarding the interchange.

Mr. Brennan said further that on July 27, David Ransbury, Kerry Ferrier and he met with ODOT representatives, the Fulton County Engineer, two Pike Township Trustees and representatives of the Commission's design engineering firm at the Turnpike's Castalia Maintenance building to review various designs for the State Route 109 interchange in Delta, Fulton County.

Mr. Brennan said further that on August 12, Mr. Ransbury and Mr. Ferrier conducted a public meeting at Delta High School in Delta to review three designs for the State Route 109 interchange with interested parties. He said about 40 people attended. He said comment forms were circulated and responses were expected by August 18.

Mr. Brennan said further that it would be necessary to make design decisions promptly to insure that the project was completed by fall of 1996, which was the target date for the steel companies to be operating.

Mr. Brennan said further that, earlier in the meeting, the Commission awarded a contract to build the ramps at the new interchange at State Route 51.

Mr. Brennan said further that the Commission was reviewing the historical aspects of the proposed interchange with State Route 58 in Lorain County prior to a September meeting with the Ohio Historical Society.

Mr. Brennan said further that ODOT had distributed the access justification study for the interchange with Interstate Route 77 in Summit/Cuyahoga Counties to interested parties and agencies for their comments. He said all comments were to be submitted by August 28. He said study would then be forwarded to the Federal Highway Administration for approval.

Mr. Brennan said further that design engineering continued on the proposed interchange at County Road 18 in Mahoning County. He said the Commission had decided to reuse much of the existing facility that was abandoned several years ago. He said the interchange should be completed in 1996.

Mr. Brennan said further that the access point study continued on the proposed interchange at State Route 11 in Mahoning County. He said Mr. Ransbury and Mr. Ferrier attended a meeting on August 8th that apparently had been organized by opponents to the project. He said Mr. Ransbury and Mr. Ferrier did a great job for the Commission.

Mr. Brennan said further that the Commission needed to organize political support if it wanted to build an interchange at that location. He said that most of the Commission and staff thought the construction of the interchange was a rather popular idea. He said that based on the meeting last week, that was not the case.

Mr. Brennan said further that the environmental study for the Maumee River crossing in Toledo continued with the end of 1995 as the completion date.

Mr. Brennan said further that, as previously reported, Tasks 1, 2, 3 and 4 had been completed by OCDC for the Great Lakes/Mid-Atlantic Corridor. He said that status of the remaining tasks assigned to OCDC were as follows:

- Task 5 - Communication Plan Assistance, 98 percent complete;
- Task 6 - Consultant Management, 99 percent complete;
- Task 7 - Public Input, 100 percent complete;
- Task 8 - Determination of Project Feasibility, 95 percent complete;
- Task 9 - Defining and adherence to federal and state environmental processing requirements, 15 percent complete;
- Task 11 - Major Investment Study - Delaware Bypass, 5 percent complete.

Mr. Brennan said further that, as the Members knew, the feasibility report was released on August 1. He said it had generated and probably would continue to generate a lot of reaction, both positive and negative, around the state.

Mr. Brennan said further that the Commission's financial commitment as of July 31 was approximately \$5,100,000, an increase of \$550,000 for the month. He said the total included Task 11, which was approved July 17th.

The Chairman said the report of the Development Coordinator was accepted as offered. He said the report of the Construction Coordinator would be received.

Mr. Arlow said there were only two construction projects underway on the Turnpike at that time. He said the work on the construction of the new interchange at Baumhart Road in Lorain County was progressing very well. He said the interchange would open on schedule by the end of November.

Mr. Arlow said further that the upgrading and improving of the Warren (No. 14) Interchange was moving along very well.

Mrs. Leever asked Mr. Arlow when construction would begin on the new interchange at State Route 51.

Mr. Arlow said work on that project would begin about ten days from that day.

The Chairman said the report of the Construction Coordinator was accepted as offered. He said the report of the consulting engineers would be received.

Mr. Fleischman said the consulting engineers completed their annual inspection of all Turnpike buildings the week before last and they would be furnishing a detailed copy of those notes to the Commission within the next week. He said the notes would identify any areas that were not functioning either 100 percent or at all.

Mr. Fleischman said further that he had made recommendations to Mr. Disantis for bridge insurance coverage for the new three-year policy that he was presently soliciting bids on.

The Chairman said the report of the consulting engineers was accepted as offered. He ascertained there would be no report from the Ohio State Highway Patrol or the trustee.

The Chairman said the report of General Counsel would be received.

Mr. Zomparelli said he had eleven draft appropriation resolutions to present. He said ten of the eleven were for the construction of the new interchange at State Route 51 and the other resolution was for the toll plaza renovation at the Niles-Youngstown (No. 15) Interchange.

Mr. Zomparelli said all the landowners referred to in the resolutions had been given a written offer for their properties and negotiations were proceeding. He said that since construction on the State Route 51 interchange was starting in the fall instead of next spring the legal department had to go forward with appropriations if negotiations were not resolved in an equitable manner.

The Chairman asked if the appropriations were expensive.

Mr. Zomparelli said the cost of litigation was expensive. He said experts also were needed for the appraisal of the properties. He said more negotiations would be held next week and, hopefully, legal action would be avoided.

Mr. Zomparelli said further that he would read the Resolveds because they were exactly the same in all eleven resolutions. He said he would read them as follows:

"RESOLVED that the Commission had negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but had been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 51 and the Ohio Turnpike in the vicinity of Milepost 80.9 in Ottawa and Sandusky Counties, Ohio;

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owner and persons having an interest therein."

Mr. Zomparelli said the resolution then listed the individual properties and a legal description was attached to each resolution. He said the resolution then had a final Further Resolved as follows:

"FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced."

Mr. Zomparelli said he would read the names of the property owners in each resolution and then the Commission could act on all eleven with one vote.

Mr. Zomparelli said that on the first resolution the property owners were Calvin Magsig and Justine Magsig. He said the next property was owned by the Arnold E. Foss Revocable Living Trust. He said the third was owned by Frank Gacsai and Roberta Ann Gacsai. He said the next was John Ansted. He said then there was Phyllis M. Abdo, Patricia S. Wooten, Jeffrey E. Reynolds and Jean M. Reynolds.

Mr. Zomparelli said further that the next property was owned by Paul Meyer and Susan Meyer. He said there was Julia M. Bergman. He said Gaillard F. Bach and Florence L. Bach owned the next property. He said the last resolution for the State Route 51 project listed John Bergman. He said the final resolution was for the interchange 15 project. He said the owners of that property were David A. Dierkes and Nancy R. Dierkes.

Eleven resolutions declaring the necessity of appropriating property and directing that proceedings to effect such appropriation be begun and prosecuted were moved for adoption by Mrs. Leever, seconded by Mrs. Baker as follows:

RESOLUTION NO. 32-1995

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of section

163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 51 and the Ohio Turnpike in the vicinity of Milepost 80.9 in Ottawa and Sandusky Counties, Ohio;

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
Calvin Magsig	4950 C. R. 93 Woodville, OH 43469
Justine Magsig	4950 C. R. 93 Woodville, OH 43469
James Snider Ottawa County Auditor	315 Madison Street Port Clinton, OH 43452
Jacqueline Chapman Ottawa County Treasurer	315 Madison Street Port Clinton, OH 43452

"The aforementioned property to be appropriated is described as follows:

Parcel No. 5A-1 - Permanent Highway Easement

A legal description is attached as Exhibit "A";

"FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced."

Parcel No. 5A-1

All that part of the southeast 1/4 of Section 24, Harris Township, Town 6 North, Range 13 East, Ottawa County, Ohio, bounded and described as follows:

Commencing at a p.k. nail at the east 1/4 corner of said Section 24, said p.k. nail being Station 26+77.97;

Thence proceeding along the east line of the southeast 1/4 and being the centerline of State Route 51 on a bearing of south 00°10'46" east a distance of 1490.21 feet to a point, said point being Station 11+87.76 and being the true point of beginning;

Thence continuing along said east line at the southeast 1/4 of Section 24 on a bearing on south 00°10'46" east a distance of 42.82 feet to the grantor's south property line and being Station 11+44.94;

Thence along the grantor's south property line on a bearing of south 89°56'04" west a distance of 60.00 feet to a point, said point being 60.00 feet left of Station 11+45.06;

Thence north 00°10'46" west a distance of 42.70 feet to a point, said point being a corner of an existing permanent highway easement and being 60.00 feet left of station 11+87.76;

Thence along said permanent highway easement on a bearing of north 89°49'14" east a distance of 60.00 feet to the true point of beginning.

Containing 0.059 acres, more or less, of which the present right-of-way contains 0.039 acres, for a net take of 0.020 acres, more or less.

Exhibit "A"

RESOLUTION NO. 33-1995

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 51 and the Ohio Turnpike in the vicinity of Milepost 80.9 in Ottawa and Sandusky Counties, Ohio;

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
The Arnold E. Foss Revocable Living Trust	4092 State Route 51 Elmore, OH 43416
James Snider Ottawa County Auditor	315 Madison Street Port Clinton, OH 43452
Jacqueline Chapman Ottawa County Treasurer	315 Madison Street Port Clinton, OH 43452
William Farrell Sandusky County Auditor	100 N. Park Avenue Fremont, OH 43420
Virgil Swartzlander Sandusky County Treasurer	100 N. Park Avenue Fremont, OH 43420

"The aforementioned property to be appropriated is described as follows:

Parcel No. 5A-2WL - Fee Simple
Parcel No. 5A-2WL-1 - Fee Simple
Parcel No. 5A-2T - Temporary Construction Easement
Parcel No. 5A-2T-1 - Temporary Construction Easement
Parcel No. 5A-2 - Permanent Highway Easement
Parcel No. 5A-2-1 - Permanent Highway Easement

Legal descriptions are attached as Exhibits "A", "B", "C", "D", "E" and "F";

"FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced."

Parcel No. 5A-2 WL

All that part of the southeast 1/4 of Section 24, Harris Township, Town 6 North, Range 13 East, Ottawa County, Ohio, bounded and described as follows:

Commencing at a p.k. nail found at the east 1/4 corner of said Section 24, said p.k. nail being Station 26+77.97;

Thence proceeding along the east line of the southeast 1/4 of said Section 24 and the centerline of State Route 51, on a bearing of south 00°10'46" east a distance of 2457.40 feet to a point, said point being Station 2+20.57, and being the true point of beginning;

Thence continuing along the said east line and centerline of State Route 51 on a bearing of south 00°10'46" east a distance of 190.67 feet to the southeast corner of said section 24 and being Station 0+29.90;

Thence along the south line of said section 24 on a bearing of south 89°36'43" west a distance of 50.00 feet to a point, said point being 50.00 feet left of Station 0+29.71;

Thence north 00°10'46" west a distance of 190.86 feet to a point, said point being 50.00 feet left of Station 2+20.57;

Thence north 89°49'14" east a distance of 50.00 feet to the true point of beginning.

Containing 0.219 acres, more or less, of which the present right-of-way contains 0.175 acres, for a net take of 0.044 acres more or less.

Exhibit "A"

Parcel No. 5A-2WL-1

All that part of the Northeast 1/4 of said Section 25, Woodville Township, Town 6 North, Range 13 East, Sandusky County, Ohio, bounded and described as follows:

Commencing at a p.k. nail found at the east 1/4 corner of said Section 25, said p.k. nail being Station 94+08.38;

Thence proceeding along the east line of the southeast 1/4 of said Section 25, and the centerline of State Route 51 on a bearing of north 00°02'17" west a distance of 1386.25 feet to a point, said point being Station 107+94.63 and being the true point of beginning;

Thence south 89°57'43" west a distance of 50.00 feet to a point, said point being 50.00 feet left of Station 107+94.63;

Thence north 00°02'17" west a distance of 1236.31 feet to a point, said point being 50.00 feet left of Station 120+30.94 back and Station 0+00.06 ahead;

Thence north 00°10'46" west a distance of 29.65 feet to a point, said point being on the north section line of said Section 25 and being 50.00 feet left of Station 0+29.71;

Thence along the north section line of said Section 25 on a bearing of north 89°36'43" east a distance of 50.00 feet to a point, said point being on the centerline of State Route 51 and being Station 0+29.90;

Thence along the centerline of State Route 51 on a bearing of south 00°10'46" east a distance of 29.90 feet to a railroad spike found, said railroad spike being at the point of deflection of the centerline of State Route 51 and being Station 0+00 back and Station 120+31.00 ahead;

Thence continuing along the centerline of State Route 51 on a bearing of south 00°02'17" east a distance of 1236.37 feet to the true point of beginning.

Containing 1.453 acres, more or less, of which the present right-of-way contains 1.163 acres, for a net take of 0.290 acres more or less.

Exhibit "B"

Parcel No. 5A-2T

All that part of the Northeast 1/4 of said Section 25, Woodville Township, Town 6 North, Range 13 East, Sandusky County, Ohio, bounded and described as follows:

Commencing at a p.k. nail found at the east 1/4 corner of said Section 25, said p.k. nail being Station 94+08.38;

Thence proceeding along the east line of the southeast 1/4 of said Section 25, and the centerline of State Route 51 on a bearing of north 00°02'17" west a distance of 1326.25 feet to a point, said point being the grantor's southeast property corner and being Station 107+34.63;

Thence along the south property line on a bearing of south 89°39'42" west a distance of 40.00 feet to a point, said point being on the existing west right-of-way of State Route 51, and being 40.00 feet left of Station 107+34.43 and being the true point of beginning for the herein temporary agreement;

Thence continuing along said south property line on a bearing of south 89°39'42" west a distance of 70.00 feet to a point, said point being 110.00 feet left of Station 107+34.06;

Thence north 00°02'17" west a distance of 755.94 feet to a point, said point being 110.00 feet left of Station 114+90.00;

Thence south 89°57'43" west a distance of 10.00 feet to a point, said point being 120.00 feet left of Station 114+90.00;

Thence north 00°02'17" west a distance of 50.00 feet to a point, said point being 120.00 feet left of Station 115+40.00;

Thence north 89°57'43" east a distance of 10.00 feet to a point, said point being 110.00 feet left of Station 115+40.00;

Thence north 00°02'17" west a distance of 120.00 feet to a point, said point being 110.00 feet left of Station 116+60.00;

Thence north 89°57'43" east a distance of 60.00 feet to a point, said point being 50.00 feet left of Station 116+60.00;

Thence south 00°02'17" east a distance of 865.37 feet to a point, said point being 50.00 feet left of Station 107+94.63;

Thence north 89°57'43" east a distance of 10.00 feet to a point, said point being on the existing west right-of-way of State Route 51 and being 40.00 feet left of Station 107+94.63;

Thence along said west right-of-way of State Route 51 on a bearing of south 00°02'17" east a distance of 60.20 feet to the true point of beginning.

Grantor claims title by instrument of record in deed book 372, page 472, of the Sandusky County Recorder's Office.

Exhibit "C"

Parcel No. 5A 2 T-1

All that part of the southeast 1/4 of Section 24, Harris Township, Town 6 North, Range 13 East, Ottawa County, Ohio, bounded and described as follows:

Commencing at a p.k. nail at the east 1/4 corner of said section 24, said p.k. nail being Station 26+77.97;

Thence proceeding along the east line of the southeast 1/4 and being the centerline of State Route 51 on a bearing of south 00°10'46" east a distance of 1533.03 feet to a point, said point being Station 11+44.94, and being on the grantor's north property line;

Thence on and along the north property line on a bearing of south 89°56'04" west a distance of 60.00 feet to a point, said point being 60.00 feet left of Station 11+45.06 and being the point of beginning of the herein described temporary agreement;

Thence south 00°10'46" east a distance of 50.46 feet to a point, said point being 60.00 feet left of Station 10+94.60 and being on the property line between the Arnold E. Foss Revocable Living Trust and Frank & Roberta Ann Gacsal;

Thence along said property line on a bearing of south 49°49'18" west a distance of 13.05 feet to a point, said point being 70.00 feet left of Station 10+86.21;

Thence north 00°10'46" west a distance of 58.87 feet to a point, said point being 70.00 feet left of Station 11+45.08;

Thence north 89°56'04" east a distance of 10.00 feet to the point of beginning.

Grantor claims title by instrument of record in Deed Book 366, Page 354, of the Ottawa County Recorder's Office.

Exhibit "D"

Parcel No. 5A-2

All that part of the Southeast 1/4 of Section 24, Harris Township, Town 6 North, Range 13 East, Ottawa County, Ohio, bounded and described as follows:

Commencing at a p.k. nail at the east 1/4 corner of said Section 24, said p.k. nail being Station 26+77.97, thence proceeding along the east line of the southeast 1/4 and being the centerline of State Route 51 on a bearing of south 00°10'46" east a distance of 2457.40 feet to a point, said point being Station 2+20.57 and being the true point of beginning;

Thence south 89°49'14" west a distance of 50.00 feet to a point, said point being 50.00 feet left of Station 2+20.57;

Thence north 00°10'46" west a distance of 329.85 feet to a point, said point being on the property line between the Arnold E. Foss Revocable Living Trust and Frank and Roberta Ann Gacsal and being 50.00 feet left of Station 5+50.42;

Thence along said property line on a bearing of north 89°49'14" east a distance of 50.00 feet to a point on the east line of said Section 24 and the centerline of State Route 51 and being Station 5+50.42;

Thence south 00°10'46" east a distance of 329.85 feet to the true point of beginning.

Containing 0.379 acres, more or less, of which the present right-of-way contains 0.303 acres, for a net take of 0.076 acres, more or less.

Exhibit "E"

Parcel No. 5A-2-1

All that part of the Southeast 1/4 of Section 24, Harris Township, Town 6 North, Range 13 East, Ottawa County, Ohio, bounded and described as follows:

Commencing at a p.k. nail at the east 1/4 corner of said Section 24, said p.k. nail being Station 26+77.97;

Thence proceeding along the east line of the southeast 1/4 and being the centerline of State Route 51 on a bearing of south 00°10'46" east a distance of 1533.03 feet to a point, said point being Station 11+44.94 and being the true point of beginning;

Thence on a bearing of south 49°49'18" west on the property line between the Arnold E. Foss Revocable Living Trust and Frank & Roberta Ann Gacsal a distance of 78.32 feet to a point, said point being 60.00 feet left of Station 10+94.60;

Thence north 00°10'46" west a distance of 50.46 feet to a point on the grantor's north property line, said point being 60.00 feet left of Station 11+45.06;

Thence along the grantor's north property line on a bearing of north 89°56'04" east a distance of 60.00 feet to the true point of beginning.

Containing 0.035 acres, more or less, of which the present right-of-way contains 0.015 acres, for a net take of 0.020 acres, more or less.

Exhibit "F"

RESOLUTION NO. 34-1995

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 51 and the Ohio Turnpike in the vicinity of Milepost 80.9 in Ottawa and Sandusky Counties, Ohio;

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
Frank Gacsai	3886 State Route 51 Elmore, OH 43416
Roberta Ann Gacsai	3886 State Route 51 Elmore, OH 43416
James Snider Ottawa County Auditor	315 Madison Street Port Clinton, OH 43452
Jacqueline Chapman Ottawa County Treasurer	315 Madison Street Port Clinton, OH 43452

"The aforementioned property to be appropriated is described as follows:

Parcel No. 5A-3 - Permanent Highway Easement

A legal description is attached as Exhibit "A";

"FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced."

Parcel No. 5A-3

All that part of the Southeast 1/4 of Section 24, Harris Township, Town 6 North, Range 13 East, Ottawa County, Ohio, bounded and described as follows:

Commencing at a p.k. nail at the east 1/4 corner of said Section 24, said p.k. nail being Station 26+77.97, thence proceeding along the east line of the southeast 1/4 and being the centerline of State Route 51 on a bearing of south 00°10'46" east a distance of 1533.03 feet to a point, said point being the grantor's northeast property corner and being Station 11+44.94 and being the true point of beginning;

Thence continuing along said centerline of State Route 51 on a bearing of south 00°10'46" east a distance of 594.52 feet to a point, said point being the grantor's southeast property corner and being Station 5+50.42;

Thence along the grantor's south property line on a bearing of south 89°49'14" west a distance of 50.00 feet to a point, said point being 50.00 feet left of Station 5+50.42;

Thence north 00°10'46" west a distance of 552.57 feet to a point, said point being on the grantor's north property line and being 50.00 feet left of Station 11+02.99;

Thence along said property line on a bearing of north 49°49'18" east a distance of 65.27 feet to the true point of beginning.

Containing 0.658 acres, more or less, of which the present right-of-way contains 0.531 acres, for a net take of 0.127 acres, more or less.

Exhibit "A"

RESOLUTION NO. 35-1995

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 51 and the Ohio Turnpike in the vicinity of Milepost 80.9 in Ottawa and Sandusky Counties, Ohio;

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
John J. Ansted	3925 State Route 51 Elmore, OH 43416
James Snider Ottawa County Auditor	315 Madison Street Port Clinton, OH 43452
Jacqueline Chapman Ottawa County Treasurer	315 Madison Street Port Clinton, OH 43452
William Farrell Sandusky County Auditor	100 N. Park Avenue Fremont, OH 43420
Virgil Swartzlander Sandusky County Treasurer	100 N. Park Avenue Fremont, OH 43420

"The aforementioned property to be appropriated is described as follows:

Parcel No. 5A-4WL - Fee Simple
Parcel No. 5A-4WL-1 - Fee Simple
Parcel No. 5A-4T - Temporary Construction Easement

Legal descriptions are attached as Exhibit "A", "B" and "C";

"FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced."

Parcel No. 5-A 4WL

All that part of the Southwest 1/4 of Section 19 Harris Township, Town 6 North, Range 14 East, Ottawa County, Ohio, bounded and described as follows:

Commencing at a p.k. nail at the west 1/4 corner of said section 24, said p.k. nail being Station 26+02.97, thence proceeding along the west line of the southwest 1/4 and being the centerline of State Route 51 on a bearing of south 00°10'46" east a distance of 2382.27 feet to a point, said point being Station 2+20.57 and being the true point of beginning;

Thence north 89°49'14" east a distance of 85.00 feet to a point, said point being 85.00 feet right of Station 2+20.57;

Thence south 00°10'46" east a distance of 220.67 feet to a point, said point being 85.00 feet right of Station -0+00.10 back and Station 120+31.10 ahead;

Thence south 04°28'15" east a distance of 34.55 feet to a point, said point being on the south line of said southwest 1/4 of said Section 19, and being 87.67 feet right of Station 119+96.65;

Thence south 89°32'06" west a distance of 87.67 feet to a point, said point being on the centerline of State Route 51, and being Station 119+96.00;

Thence along the centerline of State Route 51 on a bearing of north 00°02'17" west a distance of 35.00 feet to a railroad spike found at the point of deflection for State Route 51, and being Station 120+31.00 back and Station 0+00.00 ahead;

Thence continuing along the centerline of State Route 51 on a bearing of north 00°10'46" west a distance of 220.57 feet to the true point of beginning.

Containing 0.499 acres, more or less, of which the present right-of-way contains 0.235 acres, for a net take of 0.264 acres, more or less.

Exhibit "A"

Parcel No. 5A-4WL-1

All that part of the Northwest 1/4 of Section 30, Washington Township, Town 6 North, Range 14 East, Sandusky County, Ohio, bounded and described as follows:

Commencing at a railroad spike found at the north 1/4 corner of said Section 30, said railroad spike being Station 29+38.63, thence proceeding along the north line of the northwest 1/4 on a bearing of south 89°32'06" west a distance of 1469.21 feet to a point on the grantor's east property line and being 253.44 feet left of Station 15+72.68;

Thence along said property line on a bearing of south 00°08'14" east a distance of 149.32 feet to a point, said point being 110.00 feet left of Station 15+31.19, and being the true point of beginning;

Thence continuing along said east property line on a bearing of south 00°08'14" east a distance of 500.72 feet to a point, said point being 371.01 feet right of Station 13+92.08;

Thence north 88°40'35" west a distance of 933.94 feet to a point, said point being 140.00 feet right of Station 5+36.62;

Thence south 89°57'43" west a distance of 456.62 feet to a point, said point being 140.00 feet right of Station 0+80.00 (Connector Road), and 80.00 feet right of station 113+79.10 (State Route 51);

Thence south 10°41'58" west a distance of 80.51 feet to a point, said point being 65.00 feet right of Station 113+00.00;

Thence south 00°02'17" east a distance of 100.00 feet to a point, said point being 65.00 feet right of Station 112+00.00;

Thence south 05°40'21" west a distance of 251.25 feet to a point, said point being on the existing east right-of-way of State Route 51, and being 40.00 feet right of Station 109+50.00;

Thence along said right of way on a bearing of south 00°02'17" east a distance of 155.37 feet to a point, said point being 40.00 feet right of Station 107+94.63;

Thence south 89°57'43" west a distance of 40.00 feet to a point, said point being on the centerline of State Route 51, and being Station 107+94.63;

Thence along the centerline of State Route 51 on a bearing of north 00°02'17" west a distance of 1201.37 feet to a point, said point being the northwest corner of said Section 30, and being Station 119+96.00;

Thence along the north line of the northwest 1/4 of said Section 30 on a bearing of north 89°32'06" east a distance of 87.67 feet to a point, said point being 87.67 feet right of Station 119+96.65;

Thence south 04°28'15" east a distance of 353.61 feet to a point, said point being 115.00 feet right of Station 116+44.10 (State Route 51), and 125.00 feet left of Station 1+15.00 (Connector Road);

Thence south 88°00'02" east a distance of 421.88 feet to a point, said point being 110.00 feet left of Station 5+36.62;

Parcel No. 5A-4WL-1 (Con'd.)

Thence along a curve to the left non tangent to the last line having a central angle of $16^{\circ}13'45''$, a radius of 1035.92 feet, arc distance of 293.42 feet, a chord distance of 292.44 feet, and a chord bearing of north $81^{\circ}50'51''$ east, to a point, said point being 110.00 feet left of Station 8+61.20;

Thence north $73^{\circ}43'58''$ east a distance of 669.99 feet to the true point of beginning.

Containing 12.415 acres, more or less, of which the present right-of-way contains 1.103 acres, for a net take of 11.312 acres, more or less.

Exhibit "B"

Parcel No. 5A-4T

All that part of the Southwest 1/4 of Section 19, Harris Township, Town 6 North, Range 14 East, Ottawa County, Ohio, bounded and described as follows:

Commencing at a p.k. nail at the west 1/4 corner of said section 19, said p.k. nail being Station 26+02.97;

Thence proceeding along the west line of the southwest 1/4 and being the centerline of State Route 51 on a bearing of south 00°10'46" east a distance of 1415.21 feet to a point, said point being Station 11+87.76;

Thence north 89°49'14" east a distance of 40.00 feet to a point on the existing east right-of-way of State Route 51, said point being 40.00 feet right of Station 11+87.76 and being the point of beginning of the herein described temporary agreement;

Thence continuing north 89°49'14" east a distance of 20.00 feet to a point 60.00 feet right of station 11+87.76;

Thence south 00°10'46" east a distance of 87.76 feet to a point 60.00 feet right of Station 11+00.00;

Thence south 89°49'14" west a distance of 20.00 feet to a point on the existing east right-of-way of State Route 51 and being 40.00 feet right of Station 11+00.00;

Thence along said right-of-way on a bearing of north 00°10'46" west a distance of 87.76 feet to the point of beginning.

Grantor claims title by instrument of record in Deed Book 313, Page 11, of the Ottawa County Recorder's Office.

Exhibit "C"

RESOLUTION NO. 36-1995

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 51 and the Ohio Turnpike in the vicinity of Milepost 80.9 in Ottawa and Sandusky Counties, Ohio;

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
Phyllis M. Abdo	Reynolds Farm Association 5526 Cresthaven Lane, Apt. 3 Toledo, OH 43614
Patricia S. Wooten	Reynolds Farm Association 5526 Cresthaven Lane, Apt. 3 Toledo, OH 43614
Jeffery E. Reynolds	Reynolds Farm Association 5526 Cresthaven Lane, Apt. 3 Toledo, OH 43614
Jean M. Reynolds	Reynolds Farm Association 5526 Cresthaven Lane, Apt. 3 Toledo, OH 43614
James Snider Ottawa County Auditor	315 Madison Street Port Clinton, OH 43452
Jacqueline Chapman Ottawa County Treasurer	315 Madison Street Port Clinton, OH 43452
William Farrell Sandusky County Auditor	100 N. Park Avenue Fremont, OH 43420
Virgil Swartzlander Sandusky County Treasurer	100 N. Park Avenue Fremont, OH 43420

"The aforementioned property to be appropriated is described as follows:

Parcel No. 5A-5WL - Fee Simple
Parcel No. 5A-5 - Permanent Highway Easement

Parcel No. 5A-6WL - Fee Simple
Parcel No. 5A-6 - Permanent Highway Easement

Legal descriptions are attached as Exhibit "A", "B", "C" and "D";

"FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced."

Parcel No. 5A-5WL

All that part of the Southwest 1/4 of Section 19, Harris Township, Town 6 North, Range 14 East, Ottawa County, Ohio, bounded and described as follows:

Commencing at railroad spike found at the south 1/4 corner of said Section 19, said railroad spike being Station 9+27.12, thence proceeding along the east line of the southwest 1/4 of said Section 19 on a bearing of north 00°27'41" west a distance of 1213.88 feet to a point, said point being Station 21+41.00 and being on the northeast limited access right-of-way of the Ohio Turnpike, and being the true point of beginning;

Thence along said northeast limited access right-of-way of the Ohio Turnpike on a bearing of north 55°06'23" west a distance of 989.48 feet to a point, said point being on the grantor's north property line, and being 115.00 feet left of Station 381+45.62 (Ohio Turnpike stationing);

Thence along the grantor's north property line on a bearing of north 88°25'04" east a distance of 25.23 feet to a point, said point being 130.00 feet left of Station 381+65.91;

Thence south 56°00'57" east a distance of 837.69 feet to a point, said point being 145.00 feet left of Station 390+03.46;

Thence south 63°39'42" west a distance of 100.83 feet to a point, said point being on the east line of the southwest 1/4 of said section 19, and being 160.00 feet left of Station 391+03.17;

Thence along the east line of the southwest 1/4 of said Section 19, on a bearing of south 00°27'41" east a distance of 55.17 feet to the true point of beginning.

Containing 0.538 acres, more or less, of which the present right-of-way contains 0.074 acres, for a net take of 0.464 acres, more or less.

Exhibit "A"

Parcel No. 5A-5

All that part of the Southwest 1/4 of Section 19, Harris Township, Town 6 North, Range 14 East, Ottawa County, Ohio, bounded and described as follows:

Commencing at a railroad spike found at the south 1/4 corner of said Section 19, said railroad spike being Station 9+27.12, thence proceeding along the east line of the southwest 1/4 of said Section 19 on a bearing of north 00°27'41" west a distance of 1269.05 feet to a point, said point being Station 21+96.17 and being the true point of beginning;

Thence north 63°39'42" west a distance of 100.83 feet to a point, said point being 90.00 feet left of Station 22+41.64;

Thence north 03°09'07" east a distance of 158.68 feet to a point, said point being 80.00 feet left of Station 24+00.00;

Thence north 10°50'55" east a distance of 305.94 feet to a point, said point being on the existing west right-of-way of Dischinger Road, and being 20.00 feet left of Station 27+00.00;

Thence north 89°32'19" east a distance of 20.00 feet to a point, said point being on the east line of the southwest 1/4 of said section 19, and being Station 27+00.00;

Thence along the east line of the southwest 1/4 of said Section 19, on a bearing of south 00°27'41" east a distance of 503.83 feet to the true point of beginning.

Containing 0.700 acres, more or less of which the present right-of-way contains 0.435 acres, for a net take of 0.265 acres, more or less.

Exhibit "B"

Parcel No. 5A- 6WL

All that part of the Northwest 1/4 of Section 30, Washington Township, Town 6 North, Range 14 East, Sandusky County, Ohio, bounded and described as follows:

Commencing at a railroad spike found at the north 1/4 corner of said Section 30, said railroad spike being Station 29+38.53;

Thence proceeding along the north line of the northwest 1/4 of said Section 30 on a bearing of south 89°32'06" west a distance of 1083.52 feet to a point on the property line between (Phyllis M. Abdo, Patricia S. Wooten, Jeffery E. Reynolds, Jean M. Reynolds) and Paul A. Meyer and being 148.48 feet left of Station 19+43.55;

Thence along said property line on a bearing of south 00°08'18" west a distance of 45.40 feet to a point, said point being 104.86 feet left of Station 19+30.93 and being the true point of beginning;

Thence continuing along said property line on a bearing of south 00°08'14" east a distance of 616.67 feet to a point, said point being 487.53 feet right of Station 18+59.61;

Thence north 88°40'35" west a distance of 385.56 feet to a point, said point being on the property line between (Phyllis M. Abdo, Patricia S. Wooten, Jeffery E. Reynolds, Jean M. Reynolds) and John J. Ansted and being 371.01 feet right of Station 13+92.08;

Thence along said property line on a bearing of north 00°08'14" west a distance of 500.72 feet to a point, said point being 110.00 feet left of Station 15+31.19;

Thence north 74°28'09" east a distance of 399.77 feet to the true point of beginning.

Containing 4.944 acres, more or less, of which the present right-of-way contains 0.000 acres, for a net take of 4.944 acres, more or less.

Exhibit "C"

Parcel No. 5A- 6

All that part of the Southwest 1/4 of Section 19, Harris Township, Town 6 North, Range 14 East, Ottawa County, Ohio, bounded and described as follows:

Commencing at a railroad spike found at the south 1/4 corner of said Section 19, said railroad spike being Station 9+27.12, thence proceeding along the east line of the southwest 1/4 of said Section 19 on a bearing of north 00°27'41" west a distance of 608.00 feet to a point, said point being on the property line between (Phyllis M. Abdo, Patricia S. Wooten, Jeffery E. Reynolds, Jean M. Reynolds) and Paul A. & Susan Meyer, and being Station 15+35.12, and being the true point of beginning;

Thence along said property line on a bearing of south 89°32'19" west a distance of 57.02 feet to a point, said point being 57.02 feet left of Station 15+35.12;

Thence north 11°46'17" west a distance of 168.15 feet to a point, said point being 90.00 feet left of Station 17+00.00;

Thence north 04°27'02" west a distance of 215.62 feet to a point, said point being on the existing south limited access of the Ohio Turnpike and being 105.00 feet left of Station 19+15.10;

Thence along said limited access on a bearing of south 55°06'23" east a distance of 128.74 feet to a point, said point being on the east line of the southwest 1/4 of said Section 19, and being Station 18+40.61;

Thence along said east line of the southwest 1/4 of Section 19 on a bearing of south 00°27'41" east a distance of 305.49 feet to the true point of beginning.

Containing 0.670 acres, more or less, of which the present right-of-way contains 0.451 acres, for a net take of 0.219 acres, more or less.

Exhibit "D"

RESOLUTION NO. 37-1995

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 51 and the Ohio Turnpike in the vicinity of Milepost 80.9 in Ottawa and Sandusky Counties, Ohio;

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
Paul Meyer	3902 Dischinger Road Elmore, OH 43416
Susan Meyer	3902 Dischinger Road Elmore, OH 43416
James Snider Ottawa County Auditor	315 Madison Street Port Clinton, OH 43452
Jacqueline Chapman Ottawa County Treasurer	315 Madison Street Port Clinton, OH 43452

"The aforementioned property to be appropriated is described as follows:

Parcel No. 5A-7 - Permanent Highway Easement

A legal description is attached as Exhibit "A";

"FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced."

Parcel No. 5A-7

All that part of the Southwest 1/4 of Section 19, Harris Township, Town 6 North, Range 14 East, Ottawa County, Ohio, bounded and described as follows:

Commencing at a railroad spike found at the south 1/4 corner of said Section 19, said railroad spike being Station 9+27.12, thence proceeding along the east line of the southwest 1/4 of said Section 19 on a bearing of north 00°27'41" west a distance of 422.88 feet to a point, said point being the true point of beginning, and being Station 13+50.00;

Thence south 89°32'19" west a distance of 20.00 feet to a point, said point being on the existing west right-of-way of Dischinger Road, and being 20.00 feet left of Station 13+50.00;

Thence north 11°46'17" west a distance of 188.78 feet to a point, said point being on the grantor's north property line and being 57.02 feet left of Station 15+35.12;

Thence along said property line on a bearing of north 89°32'19" east a distance of 57.02 feet to a point, said point being on the east line of the southwest 1/4 of said Section 19, and being Station 15+35.12;

Thence along the east line of the southwest 1/4 of said Section 19 on a bearing of south 00°27'41" east a distance of 185.12 feet to the true point of beginning.

Containing 0.164 acres, more or less, of which the present right-of-way contains 0.107 acres, for a net take of 0.057 acres, more or less.

Exhibit "A"

RESOLUTION NO. 38-1995

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 51 and the Ohio Turnpike in the vicinity of Milepost 80.9 in Ottawa and Sandusky Counties, Ohio;

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
Paul Meyer	3902 Dischinger Road Elmore, OH 43416
James Snider Ottawa County Auditor	315 Madison Street Port Clinton, OH 43452
Jacqueline Chapman Ottawa County Treasurer	315 Madison Street Port Clinton, OH 43452
William Farrell Sandusky County Auditor	100 N. Park Avenue Fremont, OH 43420
Virgil Swartzlander Sandusky County Treasurer	100 N. Park Avenue Fremont, OH 43420

"The aforementioned property to be appropriated is described as follows:

Parcel No. 5A-8WL - Fee Simple
Parcel No. 5A-8WL-1 - Fee Simple
Parcel No. 5A-8 - Permanent Highway Easement

Legal descriptions are attached as Exhibit "A", "B" and "C";

"FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced."

Parcel No. 5A- 8WL

All that part of the Southwest 1/4 and Southeast 1/4 of Section 19, Harris Township, Town 6 North, Range 14 East, Ottawa County, Ohio, bounded and described as follows:

Beginning at a railroad spike found at the south 1/4 corner of said Section 19, said railroad spike being Station 29+38.53;

Thence along the south line of the southwest 1/4 of said Section 19, on a bearing of south 89°32'06" west a distance of 915.36 feet to a point, said point being 102.62 feet left of Station 21+05.59;

Thence north 74°28'09" east a distance of 203.57 feet to a point, said point being 100.00 feet left of Station 23+09.15;

Thence along a non tangent curve to the right having a central angle of 15°48'08", a radius of 1245.92 feet, an arc of 343.62 feet, a chord of 342.54 feet, and a chord bearing of north 81°38'02" east to a point, said point being 100.00 feet left of Station 26+25.19 back and Station 26+59.03 ahead;

Thence north 88°01'32" east a distance of 379.64 feet to a point, said point being 110.00 feet left of Station 29+38.53 back and Station 29+38.76 ahead;

Thence north 89°25'09" east a distance of 361.24 feet to a point, said point being 110.00 feet left of Station 33+00.00 (Connector Road) and being 73.50 feet right of Station 406+99.04 (Ramp "C" baseline);

Thence north 65°09'36" east a distance of 220.70 feet to a point, said point being 65.00 feet right of Station 404+00.00;

Thence north 03°06'33" east a distance of 220.33 feet to a point, said point being 65.00 feet right of Station 401+01.71 (Ramp "C" baseline) and 197.76 feet right of Station 400+63.21 (Ohio Turnpike);

Thence north 42°53'57" west a distance of 320.46 feet to a point, said point being 130.00 feet right of Station 397+50.00;

Thence north 55°06'23" west a distance of 441.08 feet to a point, said point being on the west line of the southeast 1/4 of said Section 19, and being 130.00 feet right of Station 393+08.92;

Thence along the west line of the southeast 1/4 of said Section 19, on a bearing of north 00°27'41" west a distance of 30.65 feet to a point, said point being on the existing southwest limited access right-of-way of the Ohio Turnpike and being 105.00 feet right of Station 392+91.18;

Thence along the said southwest limited access right-of-way of the Ohio Turnpike the following two (2) courses on a bearing of south 55°06'23" east a distance of 1618.81 feet to a point, said point being 105.00 feet right of Station 409+09.99;

Thence south 00°20'21" east a distance of 4.67 feet to a point, said point being on the south line of the southeast 1/4 of said Section 19, and being 108.82 feet right of Station 409+12.69;

Thence along the south line of the southeast 1/4 of said Section 19 on a bearing of south 89°25'09" west a distance of 1320.27 feet to the true point of beginning.

Parcel 5A-8WL (Con'd.)

Containing 8.635 acres, more or less, of which the present right-of-way contains 0.146 acres, for a net take of 8.489 acres, more or less.

Exhibit "A"

Parcel No. 5A-8WL-1

All that part of the Northwest 1/4 of Section 30, Washington Township, Town 6 North, Range 14 East, Sandusky County, Ohio, bounded and described as follows:

Beginning at a railroad spike found at the north 1/4 corner of said Section 30, thence along the east line of the northwest 1/4 of said Section 30, on a bearing of south 00°14'08" east a distance of 110.00 feet to a point, said point being 110.00 feet right of Station 29+38.09;

Thence north 88°57'14" west a distance of 279.19 feet to a point, said point being 100.00 feet right of Station 26+59.03 back and Station 26+25.19 ahead;

Thence on a non tangent curve to the left having a central angle of 15°48'08", a radius of 1045.92 feet, an arc of 288.46 feet, a chord distance of 287.55 feet, and a chord bearing of south 81°38'02" west to a point, said point being 100.00 feet right of Station 23+09.15;

Thence south 73°43'58" west a distance of 437.46 feet to a point, said point being on the grantor's west property line and being 100.00 feet right of Station 18+71.69;

Thence along the grantor's west property line on a bearing of north 00°08'14" west a distance of 213.26 feet to a point, said point being 104.86 feet left of Station 19+30.93;

Thence north 74°28'09" east a distance of 174.68 feet to a point, said point being on the north line of the northwest 1/4 of said Section 30, and being 102.62 feet left of Station 21+05.59;

Thence along the north line of the northwest 1/4 of said Section 30, on a bearing of north 89°32'06" east a distance of 915.36 feet to the true point of beginning.

Containing 3.485 acres, more or less, of which the present right-of-way contains 0.050 acres, for a net take of 3.435 acres, more or less.

Exhibit "B"

Parcel No. 5A-8

All that part of the Southeast 1/4 of Section 19, Harris Township, Town 6 North, Range 14 East, Ottawa County, Ohio, bounded and described as follows:

Commencing at a railroad spike at the south 1/4 corner of said Section 19, said railroad spike being Station 9+27.12;

Thence proceeding along the west line of the southeast 1/4 of said Section 19, on a bearing of north 00°27'41" west a distance of 422.88 feet to a point, said point being Station 13+50.00, and being the true point of beginning;

Thence continuing along the west line of the southeast 1/4 of said Section 19, on a bearing of north 00°27'41" west a distance of 490.61 feet to a point, said point being Station 18+40.61;

Thence south 55°06'23" east a distance of 110.35 feet to a point, said point being 90.00 feet right of Station 17+76.75;

Thence south 00°27'41" east a distance of 76.75 feet to a point, said point being 90.00 feet right of Station 17+00.00;

Thence south 10°50'55" west a distance of 356.93 feet to a point, said point being on the existing east right-of-way of Dischinger Road, and being 20.00 feet right of Station 13+50.00;

Thence south 89°32'19" west a distance of 20.00 feet to the true point of beginning.

Containing 0.666 acres, more or less, of which the present right-of-way contains 0.411 acres, for a net take of 0.255 acres, more or less.

Exhibit "C"

RESOLUTION NO. 39-1995

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 51 and the Ohio Turnpike in the vicinity of Milepost 80.9 in Ottawa and Sandusky Counties, Ohio;

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
Julia M. Bergman	4076 Sandusky County Road 74 Elmore, OH 43416
James Snider Ottawa County Auditor	315 Madison Street Port Clinton, OH 43452
Jacqueline Chapman Ottawa County Treasurer	315 Madison Street Port Clinton, OH 43452

"The aforementioned property to be appropriated is described as follows:

Parcel No. 5A-10WL - Fee Simple

A legal description is attached as Exhibit "A";

"FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced."

Parcel No. 5A-10WL

All that part of the Southeast 1/4 of Section 19, Harris Township, Town 6 North, Range 14 East, Ottawa County, Ohio, bounded and described as follow:

Commencing at a railroad spike found at the south 1/4 corner of said Section 19, said railroad spike being Station 9+27.12, thence proceeding along the west line of the southeast 1/4 of said Section 19, on a bearing of north 00°27'41" west a distance of 1195.49 feet to a point, said point being Station 21+22.61 and being the true point of beginning;

Thence continuing along the west line of the southeast 1/4 of said Section 19, on a bearing of north 00°27'41" west a distance 152.00 feet to the grantor's northwest corner, and being Station 22+74.61;

Thence along the grantor's north property line on a bearing of south 89°55'20" east a distance of 951.66 feet to a point, said point being 208.30 feet radially right of Station 52+32.22 (Connector Road stationing);

Thence south 59°09'38" east a distance of 534.00 feet to a point, said point being 142.35 feet radially right of Station 48+74.20;

Thence south 05°05'31" east a distance of 378.54 feet to a point, said point being 132.34 feet radially right of Station 46+04.12;

Thence south 34°53'37" west a distance of 395.02 feet to a point, said point being 120.00 feet left of Station 406+15.00 (Ohio Turnpike stationing);

Thence south 55°06'23" east a distance of 385.00 feet to a point, said point being 120.00 feet left of Station 410+00.00;

Thence south 34°53'37" west a distance of 5.00 feet to a point, said point being on the existing northeast limited access right-of-way of the Ohio Turnpike, and being 115.00 feet left of Station 410+00.00;

Thence along the northeast limited access right-of-way of the Ohio Turnpike the following three (3) courses, on a bearing of north 55°06'23" west a distance of 245.38 feet to a point, said point being 115.00 feet left of Station 407+54.61;

Thence south 00°20'21" east a distance of 18.36 feet to a point, said point being 100.00 feet left of Station 407+65.21;

Thence north 55°06'23" west a distance of 1619.47 feet to the true point of beginning.

Containing 18.583 acres, more or less, of which the present right-of-way contains 0.258 acres, for a net take of 18.325 acres, more or less.

Exhibit "A"

RESOLUTION NO. 40-1995

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 51 and the Ohio Turnpike in the vicinity of Milepost 80.9 in Ottawa and Sandusky Counties, Ohio;

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
Gaillard F. Bach	3763 N. C. R. 70 Elmore, OH 43416-9610
Florence L. Bach	3763 N. C. R. 70 Elmore, OH 43416-9610
William Farrell Sandusky County Auditor	100 N. Park Avenue Fremont, OH 43420
Virgil Swartzlander Sandusky County Treasurer	100 N. Park Avenue Fremont, OH 43420

"The aforementioned property to be appropriated is described as follows:

Parcel No. 5A-11WL - Fee Simple

A legal description is attached as Exhibit "A";

"FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced."

Parcel No. 5A-11WL

All that part of the Northeast 1/4 of Section 30, Washington Township, Town 6 North, Range 14 East, Sandusky County, Ohio, bounded and described as follows:

Beginning at a railroad spike found at the north 1/4 corner of said Section 30, thence along the grantor's north property line on a bearing of north 89°25'09" east a distance of 1283.77 feet to a point, said point being on the southwest limited access right-of-way of the Ohio Turnpike, and being 130.00 feet right of station 408+82.97 (Ohio Turnpike stationing);

Thence along the southwest limited access right-of-way of the Ohio Turnpike on a bearing of south 55°06'23" east a distance of 44.68 feet to a point, said point being on the grantor's east property line and being 130.00 feet right of Station 409+27.65;

Thence along the grantor's east property line on a bearing of south 00°20'02" east a distance of 120.32 feet to a point, said point being 64.04 feet right of Station 20+68.95 (Ramp "D" stationing);

Thence north 88°31'05" west a distance of 548.75 feet to a point, said point being 90.00 feet right of Station 15+00.00;

Thence north 87°31'55" west a distance of 310.21 feet to a point, said point being 73.50 feet right of Station 11+90.23;

Thence south 89°25'09" west a distance of 462.13 feet to a point, said point being on the west line of the northeast 1/4 of said Section 30, and being Station 8+17.12 (Dischinger Road);

Thence along the west line of the northeast 1/4 of said Section 30 on a bearing of north 00°14'08" west a distance of 110.00 feet to the true point of beginning.

Containing 3.714 acres, more or less, of which the present right-of-way contains 0.051 acres, for a net take of 3.663 acres, more or less.

Exhibit "A"

RESOLUTION NO. 41-1995

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 51 and the Ohio Turnpike in the vicinity of Milepost 80.9 in Ottawa and Sandusky Counties, Ohio;

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
John Bergman	4076 Sandusky County Rd. 74 Elmore, OH 43416
William Farrell Sandusky County Auditor	100 N. Park Avenue Fremont, OH 43420
Virgil Swartzlander Sandusky County Treasurer	100 N. Park Avenue Fremont, OH 43420

"The aforementioned property to be appropriated is described as follows:

Parcel No. 5A-12WL - Fee Simple
Parcel No. 5A-12T - Temporary Construction Easement

Legal descriptions are attached as Exhibit "A" and "B";

"FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced."

Parcel No. 5A-12WL

All that part of the Northeast 1/4 of Section 30, Washington Township, Town 6 North, Range 14 East, Sandusky County, Ohio, bounded and described as follows:

Commencing at a railroad spike found at the north 1/4 corner of said Section 30, thence along the north line of the northeast 1/4 of said Section 30, on a bearing of north 89°25'09" east a distance of 1283.77 feet to a point, said point being on the southwest limited access right-of-way of the Ohio Turnpike, and being 130.00 feet right of Station 408+82.97 (Ohio Turnpike stationing);

Thence along the southwest limited access right-of-way of the Ohio Turnpike on a bearing of south 55°06'23" east a distance of 44.68 feet to a point, said point being the grantor's northwest property corner, and being 130.00 feet right of Station 409+27.65, and being the true point of beginning;

Thence continuing along the southwest limited access right-of-way of the Ohio Turnpike on a bearing of south 55°06'23" east a distance of 1207.99 feet to a point, said point being 130.00 feet right of Station 12+41.16;

Thence along a tangent curve to the left, having a central angle of 00°51'46", a radius of 17,318.74 feet, an arc distance of 260.79 feet, a chord of 260.79 feet, and a chord bearing of south 55°32'16" east to a point, said point being 130.00 feet radially right of Station 15+00.00;

Thence south 34°01'51" west a distance of 21.97 feet to a point, said point being 151.97 feet radially right of Station 15+00.00;

Thence north 55°06'23" west a distance of 261.11 feet to a point, said point being 150.00 feet right of Station 12+41.16;

Thence north 56°45'59" west a distance of 690.39 feet to a point, said point being 170.00 feet right of Station 5+51.07;

Thence north 33°27'41" east a distance of 30.01 feet to a point, said point being 140.00 feet right of Station 5+50.32;

Thence north 55°06'23" west a distance of 197.34 feet to a point, said point being 140.00 feet right of Station 3+52.98 (Ohio Turnpike stationing) and being 44.00 feet radially right of Station 23+44.51 (Ramp "D" stationing);

Thence on a non tangent curve to the left having a central angle of 07°46'50", a radius of 1388.39 feet, an arc distance of 188.54 feet, a chord distance of 188.39 feet, and a chord bearing of north 68°35'52" west to a point, said point being 44.00 feet radially right of Station 21+50.00;

Thence north 88°31'05" west a distance of 80.52 feet to a point, said point being on the grantor's west property line, and being 64.04 feet radially right of Station 20+68.95;

Thence north 00°20'02" west a distance of 120.32 feet to the true point of beginning.

Containing 0.966 acres, more or less, of which the present right-of-way contains 0.00 acres, for a net take of 0.966 acres, more or less.

Parcel 5A-12T

All that part of the Northeast 1/4 of Section 30, Washington Township, Town 6 North, Range 14 East, Sandusky County, Ohio, bounded and described as follows:

Commencing at a railroad spike found at the north 1/4 corner of said Section 30, thence along the north line of the northeast 1/4 of said section 30, on a bearing of north 89°25'09" east a distance of 1283.77 feet to a point, said point being on the southwest limited access right-of-way of the Ohio Turnpike, and being 130.00 feet right of Station 408+82.97 (Ohio Turnpike stationing);

Thence along the southwest limited access right-of-way of the Ohio Turnpike on a bearing of south 55°06'23" east a distance of 44.68 feet to a point, said point being the grantor's northwest property corner, and being 130.00 feet right of Station 409+27.65;

Thence along the grantor's west property line on a bearing of south 00°20'02" east a distance of 120.32 feet to a point, said point being 64.04 feet radially right of Station 20+68.95 (Ramp "D" stationing) and being the true point of beginning of the herein temporary agreement;

Thence south 88°31'05" east a distance of 80.52 feet to a point, said point being 44.00 feet radially right of Station 21+50.00;

Thence on a non tangent curve to the right having a central angle of 07°46'50", a radius of 1388.39 feet, an arc distance of 188.54 feet, a chord distance of 188.39 feet, a chord bearing of south 68°35'52" east to a point, said point being 44.00 feet radially right of Station 23+44.51;

Thence south 55°06'23" east a distance of 197.34 feet to a point, said point being 63.02 feet right of Station 25+48.74;

Thence on a non tangent curve to the right having a central angle of 19°11'55", a radius of 1368.35 feet, an arc distance of 458.51 feet, a chord distance of 456.36 feet, a chord bearing of north 66°15'40" west to the true point of beginning of the temporary agreement.

Grantor claims title by instrument of record, recorded in volume 323, page 421, of the Sandusky County Recorder's Office.

Exhibit "B"

RESOLUTION NO. 42-1995

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the toll plaza renovation at Interchange 15 located at Milepost 219.4 in Mahoning County, Ohio;

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
David A. Dierkes	1528 North Lipkey Road North Jackson 44451
Nancy R. Dierkes	1528 North Lipkey Road North Jackson, OH 44451
George J. Tablack Auditor, Mahoning County	120 Market Street Youngstown, OH 4450-1749
George M. McKelvey Treasurer, Mahoning County	120 Market Street Youngstown, OH 44503-1749

"The aforementioned property to be appropriated is described as follows:

Parcel No. 15-1WL - Fee Simple

A legal description is attached as Exhibit "A";

"FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced."

Parcel No. 15-1WL

Situated in Jackson Township, Mahoning County and the State of Ohio and being a part of Tract 13, T2 North, R4 West and being more fully described as follows:

Commencing at the intersection of the centerline of Silica Road with the centerline of Lipkey Road;

Thence, South 0° 36' 09" East, on the centerline of Lipkey Road, a distance of 1725.64 feet to a point;

Thence, South 89° 40' 14" West, on Grantors northerly property line a distance of 3589.45 feet to a point, said point being 1021.71 feet left of station 110+14.91 on the centerline of survey of the Ohio Turnpike and the true place of beginning of the parcel herein described;

Thence, South 0° 19' 46" East, on the proposed limited access right of way line a distance of 50.00 feet to a point;

Thence, South 64° 08' 36" East, on the proposed limited access right of way line a distance of 316.58 feet to a point;

Thence, South 0° 19' 46" East, on the proposed limited access right of way line a distance of 118.76 feet to a point;

Thence, South 59° 39' 09" East, on the proposed limited access right of way line a distance of 696.52 feet to a point;

Thence, North 64° 08' 36" West, on the existing limited access right of way line a distance of 510.00 feet to a point;

Thence, North 56° 23' 40" West, on the existing limited access right of way line a distance of 105.65 feet to a point;

Thence, North 64° 08' 36" West, on the existing limited access right of way line a distance of 575.00 feet to a point;

Thence, North 0° 25' 56" East, on the existing limited access right of way line a distance of 126.18 feet to a point;

Thence, North 89° 40' 14" East, on Grantor's northerly property line a distance of 176.24 feet to the true place of beginning containing 2.142 acres more or less.

Of the above described area 1.908 acres are in Auditors Parcel No. 50-035-0-005.01-0 and 0.234 acres are in Auditors Parcel No. 50-035-0-006.01-0.

The bearings used in the above description are to an assumed meridian and are used to delineate angles only.

This description is based on a survey made by URS Consultants in 1994 under the direction and supervision of Richard E. Rockich, Registered Surveyor No. 5680.

Grantor claims title by instrument recorded in Volume 1300, Page 171 of the Mahoning County Records.

A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Mrs. Leever, Mrs. Baker, Mr. Wray, Mr. Williams, Mr. Fedeli

Nays: None

The Chairman declared the resolutions stood adopted with all Members voting in the affirmative. The resolutions were identified as Numbers 32-1995, 33-1995, 34-1995, 35-1995, 36-1995, 37-1995, 38-1995, 40-1995, 41-1995, 42-1995.

Mr. Zomparelli said also that since the last Commission meeting there had been one other complaint filed against the Commission. He said the Commission had been named as a defendant in a case known as Uland v. S.E. Johnson Cos. He said the Commission was listed as one of the defendants.

Mr. Zomparelli said further that the suit concerned a development called Lake Pioneer. He said S.E. Johnson had purchased a piece of property in the southwestern portion of the development. He said the property had been previously used as an asphalt plant. He said the complaint alleged that S.E. Johnson used the property to deposit some road debris from resurfacing and road construction on the Turnpike back as early as 1972 or 1973. He said the Commission had been named a defendant because of the allegation that some of the old Turnpike pavement was there.

Mr. Johnson said the problem was that claims were made that the asphalt or drainage from it was contaminating the lake.

Mr. Zomparelli said the last thing he wanted to talk about was the one bid from Harris Corporation for the new digital microwave equipment. He said that it was probably not proper to inquire why a company didn't bid on the contract, but he would look at it internally.

The Chairman said the report of General Counsel was accepted as offered. He said he would ask Mr. Plain for a report on the third lane project.

Mr. Plain said that the third lane project was progressing on schedule. He said an agreement was signed between the project management consultant, URS Consultants, Inc., and the Commission with an effective date of July 18, 1995.

Mr. Plain said that since that time design consultants have been selected and agreements had been negotiated on eleven of the thirteen design projects. He said he anticipated that construction of all thirteen projects would begin in the spring of 1996.

Mr. Plain said further that the two remaining projects to be awarded were bridge projects and proposals were due back from consultants on August 25th and September 2nd. He said selection would be made and contracts negotiated as soon as possible.

Mr. Plain said further that the eleven design contracts already under way totaled approximately \$3,240,000 in design costs and represent estimated construction costs of over \$120 million. He said total construction costs for all thirteen design selections will approximate about \$130 million.

Mr. Plain said further that the third lanes will be added in three areas along the Turnpike. He said they would be at milepost 92.4 through 111.73, between Exits 6 and 7, milepost 145.03 to 151.8, between Exits 8 and 9A, and milepost 193.38 to 209.5, between Exits 13A and 14.

Senator Gaeth asked if the overall plan for the third lane project would be for five years.

Mr. Plain said what he had just described was for the first year of the project, which would take five years to complete.

There being no further business to come before the Commission, a motion was made by Mr. Williams, seconded by Mrs. Baker that the meeting adjourn until the next meeting on September 11.

A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Mr. Williams, Mrs. Baker, Mr. Wray, Mrs. Leever, Mr. Fedeli

Nays: None

The Chairman declared the meeting adjourned. Time of adjournment was 11:42 a.m.

Approved as a correct transcript of the
proceedings of the Ohio Turnpike Commission

Marilyn R. Baker, Secretary-Treasurer